

Attorney Docket No. 03665/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s) : Mitsuru ARAI et al

Serial No. : 10/699,809

Confirm. No. : 4459

Filed : November 3, 2003

For : VOLUME CONTROL APPARATUS OF
RADIAL PISTON PUMP OR MOTOR
AND POSITIONING APPARATUS

Art Unit : 3746

Examiner : Leonard J. Weinstein

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR :

Applicant hereby appeals to the Board of Appeals from the decision of the Examiner finally rejecting Claims 5-9.

A Pre-Appeal Brief Request for review is submitted with this Notice of Appeal.

The Patent Office fee of \$510.00 under 37 CFR 37 CFR 41.20(b)(1) for filing a Notice of Appeal is being paid by credit card herewith. If any further fees are required, authorization is given to charge same against Account No. 06-1378.

Respectfully submitted,

/Douglas Holtz/

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This paper is being submitted
via EFS-Web on October 22, 2007

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not already paid, authorization to charge the extension fee to Account No. 06-1378. In addition, authorization is hereby given to charge any fees for which payment has not been submitted, or to credit any overpayments, to Account No. 06-1378.